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OCT 06 2006

Application No. 09/845,104

Remarks

Applicants thank the Examiner for his careful consideration of the application.

Claims 9 – 16 and 18 – 23 are pending in the application.

Claim Rejections – 35 USC § 103

The Examiner rejected claims 9, 10, 13 – 15, 20, and 22 under 35 USC § 103(a) as being unpatentable over Spicer et al. (US Patent No. 7,007,093) (“Spicer”) in view of McMullan et al (US Patent No. 7,028,051) (“McMullan”). Applicants respectfully traverse these rejections.

In claim 9, Applicants recite a method of accessing an internal network device on a protected network that includes a security device. The method includes storing data addressed to the internal network device in an external proxy server and maintaining a proxy agent on the protected network. The proxy agent polls the external proxy server for data addressed to the internal network device, forwards to the internal network device any data on the external proxy server and addressed to the internal network device, and forwards to the external proxy server any data addressed to an external device in communication with the external proxy server. Polling the external proxy server includes connecting to the external proxy server to check for pending traffic, receiving a stream of spurious bytes from the external proxy server if there is nothing pending for the internal network device, and receiving data from the external proxy server when the external proxy server has received data from a client.

Claim 9 should be allowed as the Examiner has not established a prima facie case of obviousness. In order to sustain an obviousness rejection under 35 USC § 103(a), the Examiner must show that a combination of the cited references teach or suggest all the limitations of the claim being rejected. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). The Examiner has failed to show that the combination of references teaches or suggests all the limitations of claim 9. Specifically, for example, the Examiner has not shown where either Spicer or McMullan discloses receiving a stream of spurious bytes from the external proxy server if there is nothing pending for the internal network device. The

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Examiner asserts this limitation is shown in lines 1 – 46 of column 9 of McMullan. However, this passage appears to be concerned with the use of a persistent, "keep-alive" connection. A keep-alive connection holds open a connection so that multiple requests may be made of an HTTP server. Applicants do not use a keep-alive connection, and instead use spurious bytes to keep a connection open. McMullan does not appear to mention anything close to the use of spurious bytes to keep a connection open. Further, the disclosure of McMullan teaches away from the combination of McMullan and Spicer. The "keep-alive" method McMullan discloses would not work with Spicer, as the "keep-alive" method of maintaining a connection would not work if a proxy server were being used. Therefore, it would be unlikely that a person skilled in the art who knew of McMullan and Spicer would think to combine the two references. For each of the foregoing reasons, the Examiner's rejection should be withdrawn and claim 9 should be allowed.

Claims 10, 13 – 15, 20, and 22 should be allowed if claim 9 is allowed as claims 10, 13 – 15, 20, and 22 depend from claim 9.

The Examiner rejected claims 11, 12, 16, 18 – 21, and 23 under 35 USC § 103(a) as being unpatentable over Spicer in view of McMullan, and in further view of Grantges Jr. et al (US Patent No. 6,510,464) ("Grantges"). Applicants respectfully traverse these rejections. Claims 11, 12, 16, 18 – 21, and 23 all depend from claim 9. Applicants have already argued that the disclosure of McMullan does not disclose the use of "spurious bytes" to keep a connection open. As the Examiner has not identified this limitation in Grantges either, the Examiner has not established that the combination of Spicer, Mullan, and Grantges includes all the limitations of claim 9. Therefore, claims 11, 12, 16, 18 – 21, and 23 should be allowed if claim 9 is allowed as claims 11, 12, 16, 18 – 21, and 23 depend from claim 9.

Conclusion

No additional fee is believed to be required for this amendment. However, the undersigned Xerox Corporation attorney hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also

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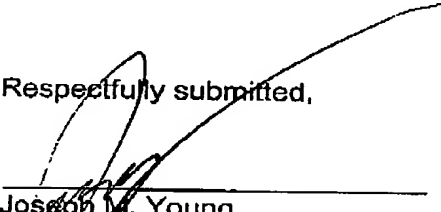
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constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

A telephone interview is respectfully requested at the number listed below prior to any further Office Action, i.e., if the Examiner has any remaining questions or issues to address after this paper. The undersigned will be happy to discuss any further Examiner-proposed amendments as may be appropriate.

Respectfully submitted,



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